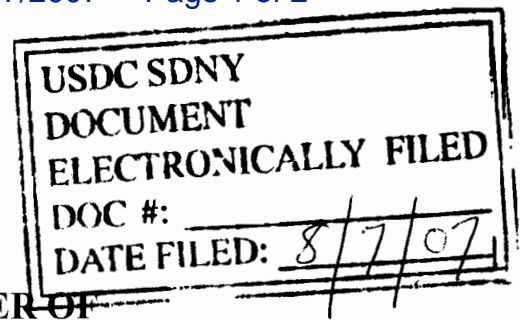


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
SST FOUNDATION,

Plaintiff,

- against -

CREDIT SUISSE, SUISSE AMERICAN
SECURITIES, INC. and NEW YORK
STATE DEPARTMENT OF TAXATION,

Defendants.
----- x

ORDER OF
DISCONTINUANCE

07 Civ. 4758 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

The parties having notified the Court that they have reached a
resolution of this action,

IT IS HEREBY ORDERED that the above captioned action be, and
the same hereby is, discontinued with prejudice but without costs; provided,
however, that within 60 days of the date of this Order, counsel for plaintiff may
apply by letter for restoration of the action to the calendar of the undersigned if the
settlement is not effected, in which event the action will be restored.

SO ORDERED:


Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
August 7, 2007

- Appearances -

For Plaintiff:

Elliot L. Schaeffer, Esq.
Schaeffer & Krongod LLP
450 Seventh Avenue, Suite 1400
New York, New York 10123
(212) 279-3467

For Defendant Swiss American Securities Inc.:

Allan N. Taffet, Esq.
Timothy J. Pastore, Esq.
Duval & Stachenfeld LLP
300 East 42nd Street
New York, New York 10017
(212) 883-1700

For Defendant New York State Department of Taxation:

Elizabeth A. Forman, Esq.
Office of the Attorney General, New York State
120 Broadway
New York, New York 10271
(212) 416-8610